

## **REMARKS/ARGUMENTS**

Applicant responds herein to the Office Action dated September 13, 2005.

Claims 1 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by Sato, et. al. (6,515,695). Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been amended to provide in part for, “[a] videophone terminal for conducting a call with a communicating terminal by communicating voice and sound and an image, comprising: ... control means for conducting control at reception of a call from a communicating terminal to convert an image and voice and sound to be sent from the videophone terminal to the communicating terminal into data according to a reply method related to a telephone number of the communicating terminal in the telephone book table stored in the storage means, the reply method including a reply using any one of a camera image, a still image, or a substitute image.” Independent claim 13 has been amended to provide, in part, for, “[a] videophone system including a plurality of videophone terminals for conducting a call by communicating voice and sound and an image between the videophone terminals, each videophone terminal including imaging means for shooting an image, a microphone for converting voice and sound into an electric signal, display means for displaying a screen image, and a communicating means for communicating a call, wherein the videophone terminal includes: storage means for beforehand storing a telephone book table including a telephone number of a communicating terminal and a reply method at call reception with a relationship established therebetween; ... the reply method including a reply using any one of a camera image, a still image, or a substitute image.” Antecedent basis for the amendments to independent claims 1 and 13 is found in the specification on page 13, line 2 to page 14, line 5.

In contrast, Sato only discloses the use of video data, (column 8, lines 54-61), but does not disclose teach or suggest a “reply method including a reply using any one of a camera image, a still image, and a substitute image” as claimed in independent claims 1 and 13.

Claims 8-9 and 20-21 were rejected under 35 U.S.C. §102(b) as being anticipated by Nishimura, JP07-115633. Reconsideration of the rejection is respectfully requested.

Independent claim 8 has been amended to provide, in part, for, “[a] screen display setting method for use with a videophone terminal for conducting a call with a communicating terminal by communicating voice and sound and an image including imaging means for shooting an image, a microphone for converting voice and sound into an electric signal, display means for displaying a screen image, and a communicating means for communicating a call, the method comprising: a reply setting step of relating in a telephone book table a telephone number of a communicating terminal to a reply method at reception of a call according to an input from an input means; ... the reply method including a reply using any one of a camera image, a still image, or a substitute image.” Independent claim 20 has been amended to provide, in part, for, “[a] screen display setting method for use with a videophone system including a plurality of videophone terminals for conducting a call by communicating voice and sound and an image between the videophone terminals, each videophone terminal including imaging means for shooting an image, a microphone for converting voice and sound into an electric signal, display means for displaying a screen image, and a communicating means for communicating a call, the method comprising: a reply setting step of relating, according to an input from an input means of one videophone terminal selected from the videophone terminals, a telephone number of a communicating terminal to a reply method at reception of a call in a telephone book table by the videophone terminal selected from the videophone terminals; ... the reply method including a reply using any one of a camera image, a still image, or a substitute image.” Antecedent basis for the amendments to independent claims 8 and 20 is found in the specification on page 13, line 2 to page 14, line 5.

Although Nishimura seems to disclose changing a response message by specifying another response message registered beforehand, (paragraph [0006], lines 3-4), and the accumulation of a response message with at least two or more images, ([0007], lines 20-21), there is no disclosure, teaching, or suggestion of the use of any one of a camera image, a still image, or a substitute image as a reply included in a reply method, as claimed in independent claims 8 and 20. Since claims 9 and 21 are directly dependent upon independent claims 8 and 20, respectively, they are allowable over Nishimura for the same reasons recited above with respect to the allowability of independent claims 8 and 20 over Nishimura.

Claims 2 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sato in view of Nishimura. Reconsideration of the rejection is respectfully requested.

Since claims 2 and 14 are directly dependent upon independent claims 1 and 13, respectively, they are allowable over Sato for the same reasons recited above with respect to the allowability of independent claims 1 and 13 over Sato. With regard to Nishimura, independent claims 1 and 13 have the feature of the use of a reply method including a reply using any one of a camera image, a still image, or a substitute image, analogous to independent claims 8 and 20, and are, therefore, allowable over Nishimura for the same reasons recited above with respect to the allowability of independent claims 8 and 20 over Nishimura.

Claims 3-7 and 15-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sato, in view of Nishimura and further in view of Saiki (JP11-234641). Reconsideration of the rejection is respectfully requested.

Since claims 3-7 and 15-19 are directly or indirectly dependent upon one of independent claims 1 and 13, they are allowable over Sato and Nishimura for the same reasons recited above with respect to the allowability of independent claims 1 and 13 over Sato and Nishimura. With regard to Saiki, although the use of a user's figure and scenery in a house are mentioned as image data to be transmitted to another party, (paragraph [0013], lines 3-5), there is no explicit disclosure of a "reply method including a reply using any one of a camera image, a still image, or a substitute image," as claimed in independent claims 1 and 13, and, thus, in dependent claims 3-7 and 15-19.

Claims 10-11 and 22-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishimura in view of Saiki. Reconsideration of the rejection is respectfully requested.

Since claims 10-11 and 22-23 are directly or indirectly dependent upon one of independent claims 8 and 20 they are allowable over Nishimura for the same reasons recited above with respect to the allowability of independent claims 8 and 20 over Nishimura. With regard to Saiki, independent claims 8 and 20 have the feature of the use of a reply method including a reply using any one of a camera image, a still image, or a substitute image, analogous to independent claims 1 and 13, and are, therefore, allowable over Saiki for the same reasons recited above with respect to the allowability of independent claims 1 and 13 over Saiki.

Claims 12 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishimura in view of Nakajima (JP 2003032727A). Reconsideration of the rejection is respectfully requested.

Since claims 12 and 24 are indirectly dependent upon independent claims 8 and 20, respectively, they are allowable over Nishimura for the same reasons recited above with respect to the allowability of independent claims 8 and 20 over Nishimura. With regard to Nakajima, although it discloses downloading of an image to a portable terminal, (abstract), there is no disclosure, teaching, or suggestion of a "reply method including a reply using any one of a camera image, a still image, and a substitute image" as claimed in independent claims 8 and 20, and, therefore, in dependent claims 12 and 24.

In view of the foregoing amendments and remarks, allowance of claims 1-24 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 1, 2005:

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Name of applicant, assignee or  
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